swim rivers under deadly fire, swarm in battalions."—*William Lloyd Garrison.*

. . . The *Morning Star*, Boston, is one of the weekly religious journals which are true to the cause of the Master's kingdom of peace, in foul weather and fair.

. . . The able address by Dr. Mackennal of Bowdon, England, delivered before the recent International Congregational Council and published in the October ADVOCATE OF PEACE, we have put into pamphlet form and can furnish at $1.50 per hundred prepaid.

. . . "We utter our protest against all war and bloodshed. We hail with joy the results of the World's Peace Conference as only the first step towards universal peace."—*Colorado W. C. T. U.*

. . . Count Muravieff, Russian Minister of Foreign Affairs, has delayed his departure from Paris on account of the situation in South Africa. France and Russia are said to be watching *with interest* the developments in that region.

. . . A new organization called the American League, of which Mr. Bolton Hall of New York is temporary secretary, has been formed for the purpose of opposing the growing military spirit in the United States. Many well-known public men are among the adherents.

. . . "The use of force in the extension of American institutions presents an inconsistency whose evil and dangerous tendency ought to be apparent to all who love these institutions and understand their motives and purposes."— *Grover Cleveland.*

. . . Boston's demonstration in honor of Admiral Dewey for two days cost the state and city governments and the people over $1,000,000. The saloons did a much more thriving business than the hotels.

. . . The revolution in Venezuela has succeeded. President Andrade has been driven from the capital. General Castro, leader of the insurgents has entered Caracas. A new constitution will be drawn and General Castro made provisionally president.

. . . Great satisfaction has been occasioned throughout Russian Poland by the concessions made by the Russian Governor-General of Poland in allowing more instruction in the Polish language.

. . . "If you deal fairly with other people, all the people on the four seas are your friends and brothers."—*Confucius.*

. . . All the leading peace organizations of Europe have made earnest and repeated efforts to induce Great Britain and the Transvaal to settle their dispute by peaceful methods.

. . . "Christianity has nothing to gain in foreign lands if its presence is secured there by the policy of a government whose methods are essentially imperialistic. The proof of this is furnished by the incontestable fact that the success of American missions in alien lands without annexation or colonization has been more remarkable among the natives than those that have been backed by the prestige of imperialism."—*Dr. George C. Lorimer.*

. . . The expenses of the government for the first two months of the current fiscal year were $102,969,090.33, of which $81,902,600.52, or about four-fifths, went for army, navy and pensions.

. . . The extent to which England has become militarized is shown by the fact that twenty-five thousand reserves were brought into service and fully equipped in about six days.

. . . The British admiralty has "chartered" sixty-seven transatlantic steamers to convey troops and supplies to South Africa. In consequence, transatlantic freight from the American seaboard has gone up in cost about fifty per cent.

The Progress of Arbitration.

BY HON. WILLIAM L. SCRUGGS.

Address at the Mohonk Arbitration Conference.

Arbitration, *arbitratio*, is a word which seems to have an equivalent, more or less exact, in every written language; and the thing indicated by it is probably known, in some form or other, to all peoples, whether savage or civilized. At any rate, it is safe to assume that the principle of optional arbitration, as applied in the settlement of personal differences, is as old as the oldest civilization; and the probabilities are that it is very much older; for, in the progress of society, a considerable length of time must have elapsed, after the ideas of property and exclusive rights of individuals had arisen in the minds of men, before any compulsory system of distributive justice was established. During that unsettled period there must have arisen many disputes involving the right of person and property; and such of these as were not appealed to arms must have been settled in one of three ways. Some of them may have been terminated by mutual agreement between the parties themselves; a larger number may have been adjusted through the intervention of friends; but the greater portion of them were doubtless referred to the decision of some indifferent person or persons in whose superior wisdom and equity both disputants confided — that is to say, to arbitration.

The practice of arbitration or reference is therefore coeval with the earliest dawn of civilization. It was the ancestor of law courts and the harbinger of our modern jury system. Of course its exact origin is unknown; for, like the old English common law of which it is a part, it reaches back through the traditions and mists of ages to a time quite beyond the memory of man.

In its more modern and complex form, as exemplified in the judicial systems of all civilized peoples, arbitration has been defined as "an adjudication by private persons, appointed to decide a matter or matters in controversy on a formal reference made to them for that purpose." There are, then, three cardinal points of difference between a modern tribunal of arbitration and a modern court of law.

First, the arbitrators are "private persons." They hold no commission from the state, and represent no sovereign power. They cannot, therefore, compel attendance nor impose pains and penalties for contempt. Their authority is revokable by the will of either party at any time before the award; and after their award is made, their functions cease by limitation. They cannot, therefore, revise their own decisions, nor can the case be re-opened except by a new agreement.

In the second place, the proceedings before a tribunal of arbitration, unlike those in a law court, are governed by rules previously agreed upon, or by the arbitrators themselves when so authorized, rather than by statutes and judicial precedents. There are no technical pleadings and no special forms. In a law court a mere technical error may indefinitely delay or even wholly defeat the ends of justice; but in a court of arbitration the litigant may state every circumstance connected with his case without apprehension of failure through ignorance of form. Again, an action at law can seldom decide more than a single issue, and one law suit often becomes the fruitful source of others; but a court of arbitration may, and generally does, decide upon all collateral issues. It may set one claim or injury against another, and pronounce such a sentence as will put an end to all disputes between the parties. It is not essential, therefore, that an arbitrator should be a member of the legal profession. It is generally desirable that he should have some knowledge of the law, but this is not essential. His only *necessary* qualification is that he be the choice of the contending parties.

Finally, the award of an arbitral tribunal, unlike the sentence of a law court, generally has no force behind it other than a sense of honor or the fear of public opinion; or, perhaps I would better say, this was once the case, for the exceptions are so numerous that they have become the rule. They occur where the reference is had at the suggestion or by order of some court of law, in which case the award has some form of legal sanction. Even by the common law an award properly made is obligatory; and in modern practice, both in England and the United States, as also in some other countries, there are now so many indirect ways of enforcing an award that, generally speaking, it may be said to have legal sanction.

Paradoxical, then, as it may seem, there is such a thing as compulsory arbitration. It crept into the English system of jurisprudence more than three centuries ago; and by a long series of statutes, beginning under the reign of William III. and extending down to the present time, the cases that may or must be referred to arbitration have been so multiplied that their bare enumeration would be too tedious to be attempted here; in fact, all cases are now referable save only such as arise out of the administration of the criminal law, or out of agreements and transactions against public policy; and even in some of these, where there is a remedy by civil action as well as by indictment, a reference of the matter in dispute, and the award made upon it, have been sustained by the courts.

The same general principle permeates our American jurisprudence. The old English common law, and the principle of arbitration as part of that law, prevailed in each of the original thirteen colonies; and it prevails still where it has not been repealed by statute; and even by statutory provision in some of them, as for instance in Pennsylvania as early as 1705, compulsory arbitration was extended to a class of cases hitherto unknown to the laws of England. By the present civil code of each of the forty-five states of our Federal Union, with possibly two or three exceptions, every matter of controversy, whether in suit or otherwise, may be referred to arbitration; and in some of them, as in Pennsylvania, arbitration is compulsory when either party elects that method of adjudication.

By the Revised Statutes of the United States all civil controversies are referable to arbitration; and in pagan and Mohammedan countries, where, by treaty stipulations, our ministers and consuls exercise judicial functions, that method of settling private disputes is often compulsory.

With such a record behind it, the marvel is, not that the principle of arbitration should have been applied to international disputes, but that this application should have been so long delayed. It would seem that, as a logical sequence, international arbitration should have come into vogue with the birth of international law itself; and yet only about one hundred and sixteen years ago, when it was first proposed as a substitute for war, the idea was ridiculed; it was thought to be impracticable. Nevertheless, from that time forth, how steadily and surely has been the trend of events in that direction! If Robert R. Livingston, of this state, were now living, he would probably be surprised at the rapidity with which his prediction, made to General Lafayette in 1783, is being fulfilled.

When two governments disagree either as to the validity or the amount of a claim by one against the other, the natural and appropriate remedy is now generally acknowledged to be arbitration by a mixed commission or by an umpire; and where there are reciprocal claims and set-offs, it is now an established rule in the practice of nations to refer the whole to an arbitral commission. Even that class of international disputes which relate to boundaries, to the interpretation of treaties, to title by prescription, and to other issues involving the most delicate and intricate questions of public law, are now referred to a joint commission of jurists.

All this has come about within the past few years. At the opening of the present century there had not been a single case of international arbitration worthy of the name. Since then there have been about one hundred and twenty, and to more than half these the United States has been a party; the Latin-American States have been parties to about twenty-seven; and Great Britain, as the leader of the movement in Europe, has been a party to about thirty-two.

The Pan-American conference of 1890 recommended that arbitration be adopted as "a principle of American public law," and made compulsory in all cases except in controversies involving national independence. Seven years later the proposition was advanced, by the two great English-speaking nations of the world, to establish a permanent international court of arbitration, to which should be referred all disputes not involving national honor and independence; and when this proposition was embodied in a public treaty between the United States and Great Britain, it failed of ratification by our Senate only because, having been hastily and unskilfully drawn, it was thought to be crude and defective in form. The principle itself was not rejected at all; it was not even seriously controverted.

Twenty-four independent nations, including the United States and the five great powers of Europe, are at this moment officially represented in a peace congress at The Hague. It was called at the instance of one of the most aggressive and warlike powers of the world; and

the subject of its deliberations is disarmament and the substitution of arbitration for war. To this end, the congress is already committed to the project of a permanent international tribunal, to which may be referred for final adjudication all differences not adjustable by ordinary diplomatic methods.

But how shall such a tribunal be established, and how shall its decisions be enforced? The "how" is recognized as the most difficult side of the problem; and many good men have considered it insolvable. I do not share that opinion. It was once thought practically impossible to establish a constitution of government that would harmoniously combine the cherished principle of local sovereignty with national solidarity; and the idea of a permanent interstate tribunal with jurisdiction in all disputes between citizens of different states, between the states themselves, and between the state and national governments, was thought to be visionary and impracticable. Some of our greatest statesmen adhered to this view as late as 1785; yet, within less than a dozen years thereafter, the thing was successfully accomplished; and although in the exercise of its constitutional functions, the great interstate tribunal has repeatedly set aside legislative enactments, state and federal, its decisions have been uniformly respected.

A permanent international tribunal of arbitration would be indeed something of a novelty. It would certainly mark a new era in the history of civilization; and yet, when we come to think about it, it would be little more than a legitimate sequence of recent experiences, and the whole trend of events during the past fifty years has been in that direction. Such a tribunal could be established by treaty between two or more leading powers. It could be given exclusive jurisdiction in all disputes between those powers; and its decisions would be quite as binding as are the most solemn treaty obligations on other subjects. If a sense of honor, public convenience, and a wholesome dread of enlightened public opinion constitute, as they do, a sufficient guarantee of good faith in the one case, they could hardly fail to be a sufficient sanction in the other. At any rate, the advanced sentiment of the civilized world is now demanding the experiment; and this fact alone is a guarantee that an honest experiment would not be made in vain.

The Doukhobors in Canada.

The Power of Peace.

From the Toronto Daily Globe.

The writer of this article has just finished a tour among the Doukhobors settled throughout the west, and it is safe to say that no class of settlers has ever come to this part of the world who could show as good a record for industry and thrift as the Doukhobors, who to-day form a colony of over seven thousand souls. The cry that the government had introduced a pauper immigration appeared at the first glance not without justification, for in truth these people have been deprived of almost the bare necessities of existence, and the unhappy result is apparent to the most casual onlooker; but the work done by these people during the last three months, accomplished in spite of great physical weakness and fever, loudly proclaims the fact that these are no paupers who claim the right to enroll themselves as Canadians. Wherever they have been life has been sustained by the efforts of their own hands, and the liberty of spirit that made them the victims of persecution has rendered them serfs in name only, and has kept them from sharing the degradation of their class in Russia. The power that Christianity in the truest sense has of civilizing, in our acceptation of the word, is made manifest in this instance.

These people, deprived of even the few necessaries of life common to the children of the soil, hunted from pillar to post, made to herd like beasts of the field, beaten, ill-treated, mothers separated from their children and wives from their husbands, are to-day the most polite, orderly people it is possible to imagine. The villages they are building testify to the powers of organization and inherent orderliness of the people. The results of self-discipline are apparent in the people as a unit, and the very core of their religious convictions is self-restraint. The absence of anything like noisiness or excitability strikes one the instant one moves about among the villages. The very children are curiously quiet and gentle in their mode of play, and they are miniatures of their elders in more than their picturesque costume. The quiet dignity noticeable comes from the best possible influence, the parents having apparently little trouble in training their children other than by example of their own quiet and industrious lives. There is something unutterably pathetic to those who live in this wrangling, noisy world of the nineteenth century, to see the women and the children of the Doukhobors quietly and silently bearing, with a great patience, the load that is laid upon their shoulders. The innate dignity of the women and their uncomplaining, untiring patience have perhaps been the reason that they have had strength given them to endure to the end trials that their magnificent physique could not alone have enabled them to withstand.

They are a great people — that is undeniable; and while they are the children of the soil, they are the aristocracy of the soil, people who, to use Ruskin's words, have found that "all true work is sacred, and in all good hand-labor there is something of divineness." Their hand-labor is marvelous, from the finest embroidery to the building and plastering of their houses. The situation that the majority found themselves placed in was one which called for decisive action, and the Doukhobor women, as all great-hearted women must, rose to the occasion, and it is to them, as it was to the great pioneer women of our country, that we are to look for the best results in the settlements of our Dominion. The men of each community were called upon to hire themselves out as farm laborers and railway navvies. The distances in the west are enormous, and it meant simply the exodus of the men from the villages, and absence that was to be counted by weeks or months. Then, too, in a village of perhaps one hundred and twenty souls, they might have a yoke of oxen or one pair of horses, and these were to plough and carry lumber for the frames of houses, and more than all, transport flour from a great distance to feed the community. The question was a grave one; winter comes quickly in these latitudes. But the question was answered by the women, who turned to and